

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

REPORT & RECOMMENDATION

92-CR-113-03

FRANK J. MOROCCO, JR.,

Defendant(s).

By Order of Judge John T. Curtin dated March 19, 2013, pursuant to 18 U.S.C. 3401(i), the above case was referred to me, with the consent of the defendant, to take the defendant's plea of guilty and to conduct an allocution pursuant to Rule 11 of the Federal Rules of Criminal Procedure for a Report and Recommendation on an Amended Petition to Revoke Supervised Release filed January 8, 2013 ("Amended Petition"). The following is my Report and Recommendation as to the defendant's plea of guilty.

On March 20, 2013, the defendant entered a plea of guilty in this case. In accordance with my oral findings at the close of the plea proceeding, it is my Report and Recommendation that the defendant's plea of guilty accords with the requirements of Rule 11 of the Fed. R. Crim. P. in that the plea was knowing and voluntary supported by the requisite factual basis, and that your Honor should adjudge the defendant guilty to Violation No. 7 of the Amended Petition to which the guilty plea was offered.

Respectfully submitted,



LESLIE G. FOSCHIO
UNITED STATES MAGISTRATE JUDGE

Dated: March ^{31st}, 2013
Buffalo, New York